IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 22309 of 2007(E)

PETITIONER:

THE SECRETARY,
KERALA STATE HOUSING BOARD, RENT PAYEES
ASSOCIATION, SHOPPING COMPLEX, KATTAPPANA,
IDUKKI DIST, KERALA.

BY ADV. SRI.J.KRISHNAKUMAR
SMT.V.RENJU

RESPONDENTS:

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1. THE CHAIRMAN,
KERALA STATE HOUSING BOARD,
HOUSING BOARD BUILDINGS,
THIRUVANANTHAPURAM.

2. THE EXECUTIVE ENGINEER,
KERALA STATE HOUSING BOARD,
IDUKKI DIVISION, HOUSING BOARD SHOPPING
COMPLEX, KATTAPPANA, IDUKKI DISTRICT.

BY STANDING COUNSEL FOR KSHB SRI.A.JAYASANKAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 22309 OF 2007 - E

Dated this the 20th day of July, 2007

J U D G M E N T

The petitioner is the Secretary of an association of lessees of the Housing Board. They are occupying shop rooms in a shopping complex owned by the Kerala State Housing Board. They are aggrieved by the demand for increased rent and charges for common amenities.

2. I am of the opinion that these matters squarely come within the realm of contract and the petitioner's grievances are to be redressed by resorting to a suit filed for that purpose, especially in view of the fact that the resolution of the disputes involves ascertainment of facts on evidence. Accordingly, the writ petition is dismissed without prejudice to the right of the petitioner to file a suit for the same relief.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007